IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE NINTH DAY OF MARCH
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE K.C. BHANU

WRIT PETITION NO : 24146 of 2004

Between:

K. Siva Kumar, S/o. Late K. Lingamaiah,
Aged about 27 years,

R/o. H.No. 8-430, Old Bus Stand,

Opp: Sailaja Theatre,
Gunthakal, Anantapur District.

..... PETITIONER

AND

1 The Regional Manager, APSRTC, Kurnool Region,

Kurnool district.
2. The Depot Manager, APSRTC, Adoni, Bus Depot, Kurnool

District.

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed herein the High Court may be pleased to issue an order, direction or writ more particularly one in the nature of writ of mandamus declaring the action of the respondents in not paying the retirement benefits of gratuity and other benefits to the petitioner for the service rendered by the petitioner with effect from 25.11.1973 to 30.11.1991 is illegal, arbitrary and unjust and consequently direct the respondents to pay the retirement benefits of gratuity and other benefits with interest as per the provisions of Gratuity Act to the petitioner.

Counsel for the Petitioner: MR.G.RAVI MOHAN

Counsel for the Respondents: MR.P.VINAYAKA SWAMY (SC FOR APSRTC)

The Court, at the stage of admission, made the following:

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ORDER:

This writ petition is filed seeking a mandamus to declare the action of the respondents in not paying the retirement benefits i.e., gratuity and other benefits to the petitioner, as illegal and arbitrary.

The petitioner submitted a representation before the respondent-Corporation for payment of the retirement benefits of his late father. Whether the petitioner is entitled to the retirement benefits or not, appropriate decision has to be taken by the respondent-Corporation in accordance with the rules and regulations of the Corporation.

Therefore, without entering into the merits of the case, I consider it appropriate to direct the respondent-Corporation to take appropriate decision on the representation dated 21-05-2003, submitted by the petitioner, in accordance with rules and regulations of the Corporation, within a period of two months from the date of receipt of a copy of this order.

The writ petition is disposed of in terms of the above direction. In the circumstances of the case, there shall be no order as to costs.

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09-03-2005.

Lrkm.

To

1. The Regional Manager, APSRTC,

Kurnool Region, Kurnool District.
2. The Depot Manager, APSRTC,

Adoni, Bus Depot, Kurnool District.

3. 2 CD copies.

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